

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

RAYFIELD LEROY WILLIS

PETITIONER

V.

CIVIL ACTION NO. 3:23-CV-573-DPJ-RPM

SUPERINTENDENT M. MCCLURE

RESPONDENT

ORDER

Rayfield Willis, who's serving a ten-year sentence with the Mississippi Department of Corrections, petitions pro se under 28 U.S.C. § 2254 to challenge his conviction as a felon possessing a firearm. Pet. [1]. The prison superintendent responded [16], but Willis never replied. United States Magistrate Judge Robert P. Myers recommends denying the petition. R&R [17]. His Report and Recommendation issued on April 23, 2025, from which Richmond had fourteen days to object. Fed. R. Civ. P. 72(b)(2); *see* R&R [17] at 6 (advising Willis of deadline). Willis has not objected, and his time to do so has passed.

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee's note (1983), *quoted in Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc), *superseded on other grounds by* 28 U.S.C. § 636(b)(1) *as noted in Alexander v. Verizon Wireless Servs., L.L.C.*, 875 F.3d 243, 248 (5th Cir. 2017).

Willis was found guilty in 2021, and both his direct appeal and his post-conviction relief petition in state court were unsuccessful. R&R [17] at 1. His argument for habeas relief is the insufficiency of the evidence at trial. Pet. [1] at 2. But a witness saw Willis holding a gun, and there was other testimony including a police officer's claim that Willis admitted having fired a gun. R&R [17] at 4. And Willis fails to make the showing needed to grant him an evidentiary

hearing. *Id.* at 5. Under the deferential standard proper to claims like Willis's, Judge Myers recommends denying the petition. *Id.* at 6. Having reviewed the record and found no clear error, the Court accepts the well-reasoned recommendation of Judge Myers.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge Robert P. Myers [17] is adopted as the findings and holdings of this Court. Willis's Petition [1] is dismissed with prejudice. A judgment and certificate of appealability will issue.

SO ORDERED AND ADJUDGED this the 20th day of May, 2025.

s/ Daniel P. Jordan III

UNITED STATES DISTRICT JUDGE